

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-CV-605-MOC-DCK**

YAN DONG,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
BASF CORPORATION and)	
JONATHAN ANTONUCCI,)	
)	
Defendants.)	
)	

THIS MATTER IS BEFORE THE COURT on “Defendants’ Motion To Redact Confidential And Proprietary Information” (Document No. 29) filed February 28, 2013. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion, with modification.

Defendants’ motion asserts that “Plaintiff’s Brief In Support Of Motion To Compel Production Of Documents” (Document No. 28) discloses confidential and proprietary information it had marked as “Confidential” and provided to the Plaintiff pursuant to the parties’ “Protective Order” (Document No. 16). Defendants contend that the potential harm from disclosure to public of this “highly confidential and sensitive information” outweighs any minimal interest in having the materials made publicly available. (Document No. 29). Purportedly, Plaintiff consents to the redaction of most of the information Defendants seek to protect. Id.

Instead of the Court attempting to redact certain portions of Plaintiff's recent filing, the undersigned will direct that Document No. 28 be sealed until otherwise ordered. The parties should confer regarding Document No. 28 and attempt to reach an agreement on whether it should remain sealed, or should be re-filed with redactions.

The Court will decline to issue any instructions at this time regarding the filing of "Confidential" documents in general. It appears that the "Protective Order" allows for the filing of "Confidential" documents as exhibits to motions and does not seem to require any redaction or sealing. (Document No. 16, pp.2-3). If Defendants wish to modify the "Protective Order," they must confer with Plaintiff and then make an appropriate motion.

IT IS, THEREFORE, ORDERED that "Defendants' Motion To Redact Confidential And Proprietary Information" (Document No. 29) is **GRANTED with modification**, as more fully described herein.

IT IS FURTHER ORDERED that the Clerk of Court **SEAL** "Plaintiff's Brief In Support Of Motion To Compel Production Of Documents" (Document No. 28), including the attached exhibits.

SO ORDERED.

Signed: February 28, 2013



David C. Keesler
United States Magistrate Judge
